

Court of Appeals, State of Michigan

ORDER

Gerald J Evans v Louis Hallal MD

Docket No. 263840

LC No. 04-421737-NH

Christopher M. Murray
Presiding Judge

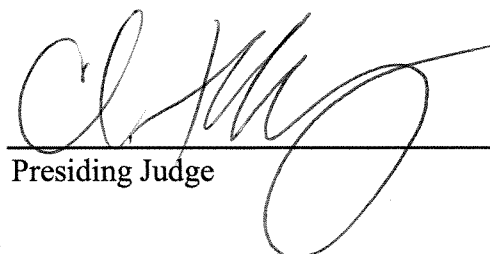
Helene N. White

Kurtis T. Wilder
Judges

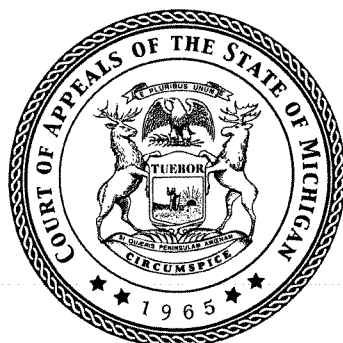
On September 16, 2005, this Court issued an order holding the delayed application filed by defendant Stephen Chabala, M.D., Trinity Health Michigan and St. Mary Mercy Hospital in abeyance, pending a decision from this Court in Docket No. 263377.

The Court now orders that the application is removed from abeyance, and further, pursuant to MCR 7.205(D)(2), in lieu of granting leave to appeal, the November 19, 2004, order of the Wayne County Circuit Court is REVERSED for the reasons stated in *Gerald J Evans v Louis Hallal MD*, unpublished opinion per curiam of the Court of Appeals, issued February 16, 2006 (Docket No. 263377). See, also, *Evans v Hallal*, 472 Mich 929; 697 NW2d 526 (2005) (directing retroactive application of *Waltz v Wyse*, 469 Mich 642; 677 NW2d 813 (2004) in companion case).

The Court retains no further jurisdiction.



Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 24 2006

Date



Chief Clerk